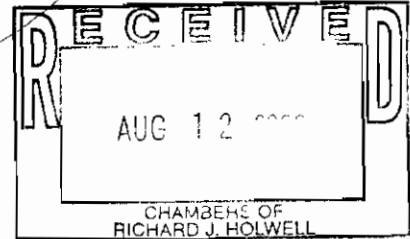


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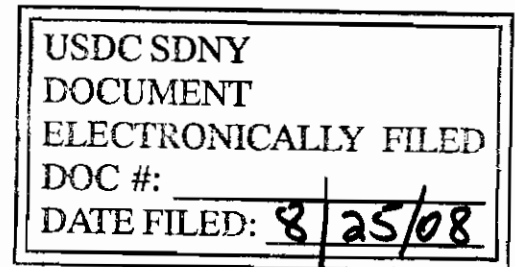
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August 12, 2008

BY FAX

Hon. Richard J. Holwell  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1950  
New York, New York 10007



Re: Medici Classics Productions LLC v.  
Medici Group LLC, et al.,  
07 Civ. 9938 (S.D.N.Y.) (RJH)

Dear Judge Holwell:

We have just been retained by MDT Classics Ltd., an English company whose trade name "MDT Mail Order" was recently added as a defendant in this action. We write, pursuant to the Court's individual rules, to request a pre-motion conference because we contemplate moving to dismiss on behalf of MDT on several grounds.

First, we plan to move to dismiss the action against MDT for all the reasons given in our pre-motion letter dated July 23, 2008, written on behalf of other defendants we represent.

Second, personal jurisdiction does not exist over MDT, a U.K. based retailer that conducts all of its marketing and sales in the U.K. It is neither a distributor nor a manufacturer of products as alleged in the Second Amended Complaint. While its website, used to sell products directly to private individuals via mail order, is theoretically available to New York consumers, it is a ".co.uk" website address on which all transactions are made in UK Pounds. The MDT sales plaintiff attempts to demonstrate in its exhibits were created by plaintiff itself. See Pl. Ex. 15 identified at the deposition of Robert Walston

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(email from Asaf Blasberg to plaintiff's principal, Jerome Rose, "From MDT, my order," and following up with another email to Rose stating "I also ordered two DVDS of n korea [sic] concert"). Such sales are not a proper basis for jurisdiction. Chloé v. Queen Bee of Beverly Hills, LLC, -- F. Supp.2d --, 2008 WL 2952785 (S.D.N.Y. Aug. 1, 2008). MDT's mere operation of a commercial website in the U.K. should not subject it to jurisdiction in New York, and MDT derives no significant sales or revenue in New York or has any intent of engaging in business or other interactions within this forum.

Third, plaintiff has not demonstrated that proper service was made under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Criminal Matters. Under Article 6 of that Convention, the Central Authority designated by the United Kingdom to carry out service must complete a certificate stating "that the document has been served" as well as "the method, the place and the date of service and the person to whom the document was delivered." To the best of our knowledge, no such certificate has been filed with this Court.

Fourth, MDT has been incorrectly named in the amended complaint as "MDT Mail Order." While it maintains a website under that name, there is in fact no such legal entity.

Your Honor recently adjourned to August 28 a conference on plaintiff's proposed motion for a preliminary injunction. On that adjourn date, we will be prepared to discuss our proposed motion on behalf of MDT -- as well as the other defendants we represent.

We understand from the Court's individual rules that sending this letter automatically stays the time of MDT to respond to the Second Amended Complaint.

*The proposed motion will  
be reviewed at the 8/28  
conference. SORAFERDO*

Respectfully yours,

*[Signature]*  
Daniel J. Kornstein

DJK:ds

*Diy LA*  
cc: Joseph J. Bainton, Esq. (by email)  
Seth Berlin, Esq. (by email)

*0305 8/25/08*